

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RANDY AUSBORN,

Plaintiff,

v.

KERN COUNTY SHERIFF DEPT., et al.,

Defendant.

Case No.: 1:22-cv-00210-SKO (PC)

**ORDER TO SUBMIT INMATE TRUST
STATEMENT**

30-DAY DEADLINE

Plaintiff Randy Ausborn, a Kern County jail inmate, initiated this action on February 18, 2022, appearing *pro se* and pursuant to 42 U.S.C. § 1983.

I. Introduction

On February 23, 2022, the Court issued an “Order Striking Unsigned Complaint and Requesting Plaintiff to File a Signed Complaint,” and “Order to Submit Prisoner Application to Proceed *In Forma Pauperis* or Pay Filing Fee.” (Doc. 3.) On March 16, 2022, Plaintiff filed an Application to Proceed *In Forma Pauperis* by a Prisoner.¹ (Doc. 11.)

II. Discussion

Plaintiff submitted his IFP application signed and dated March 8, 2022. (Doc. 11.) At page two, under Plaintiff’s signature, the application reads: “***Certification Below Is To Be Completed By Non-CDCR Incarcerated Prisoners Only.***” (*Id.* at 2.) That section also advises it

¹ Plaintiff also filed a First Amended Complaint on March 16, 2022. (Doc. 10.)

1 is “(To be completed by the institution of incarceration).” (*Id.* at 2.) This section of Plaintiff’s
2 application has not been completed. As a result, at this time the Court cannot determine whether
3 Plaintiff’s application to proceed IFP should be granted or denied.

4 Plaintiff is ordered to provide the Court with a trust statement. Plaintiff will be afforded
5 30 days from the date of service of this Order within which to submit the trust statement. Once
6 the trust statement has been filed with the Court, a determination regarding Plaintiff’s IFP status
7 will be made.

8 **CONCLUSION**

9 Accordingly, IT IS HEREBY ORDERED that Plaintiff submit an inmate trust statement
10 within 30 days of service of this Order.

11 **Plaintiff is warned that the failure to comply with court orders will result in a**
12 **recommendation that this action be dismissed.**

13
14 IT IS SO ORDERED.

15 Dated: **March 17, 2022**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE